

RESOLUTION 2020.04.02
TOWN OF CHATHAM

**RESOLUTION OF THE TOWN OF CHATHAM, VIRGINIA AUTHORIZING THE
ADOPTION OF PROCEDURES FOR ELECTRONIC PUBLIC MEETINGS AND
PUBLIC HEARINGS TO ENSURE THE CONTINUITY OF GOVERNMENT DURING
THE COVID-19 PANDEMIC DISASTER**

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 17, 2020, Pittsylvania County Administrator David M. Smitherman declared a local emergency, effective March 1, 2020, stating that Pittsylvania County, Virginia is facing dangerous public health and safety conditions arising from the growing occurrences of COVID-19, a communicable disease that threatens public health; and

WHEREAS, on March 30, 2020, Governor Ralph S. Northam issued Executive Order Fifty-Five requiring, among other things, individuals in Virginia to stay at home in furtherance of Executive Order Fifty-One; and

WHEREAS, on April 13, 2020, the Chatham Town Council (the “Town Council”), being the governing body of the Town of Chatham, Virginia confirmed the declaration of local emergency made by Pittsylvania County Administrator David M. Smitherman on March 17, 2020; and

WHEREAS, the Town Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat;” and

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, on April 13, 2020, the Chatham Town Council, being the governing body of the Town of Chatham, Virginia, pursuant to Virginia Code § 15.2-1413, adopted an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster (“Emergency Ordinance”); and

WHEREAS, through its Emergency Ordinance, the Town Council specifically found that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat” and

WHEREAS, through its Emergency Ordinance, the Town Council further found that the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Town Council and all of its duly appointed Committees together with all local and regional boards, commissions, committees and authorities created by the Town Council or to

which Town Council appoints all or a portion of its members (collectively “Public Entities” and individually “Public Entity”), or for such Public Entities to conduct meetings in accordance with normal practices and procedures; and

WHEREAS, through its Emergency Ordinance, the Town Council adopted certain procedures to ensure the continuity of government during the COVID-19 Pandemic disaster (“Continuity Procedures”), suspended any deadlines applicable to Public Entities and their staff during the COVID-19 disaster, and authorized Public Entities, at their discretion, to postpone nonemergency public hearings and action items during the disaster; and

WHEREAS, the Town of Chatham, Virginia, being (i) a Virginia Municipal Corporation whose Council members are duly elected by the citizens of Chatham, Virginia, and (ii) a public body created by the Commonwealth of Virginia, is a Public Entity included within the scope of the Emergency Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Town of Chatham, Virginia, hereby incorporates by reference and adopts the Continuity Procedures prescribed in the Emergency Ordinance, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED that the Town of Chatham, Virginia, hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for the Town of Chatham, Virginia, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinance; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinance including

for any applicable period upon the re-adoption of the Emergency Ordinance by the Town Council.

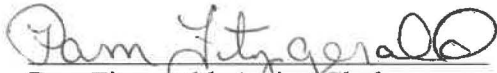
ADOPTED by the CHATHAM TOWN COUNCIL on APRIL 13, 2020.

APPROVED:

A handwritten signature in black ink that reads "Will Pace". The signature is written in a cursive style with a horizontal line underneath.

The Honorable Will Pace, Mayor
Town of Chatham, Virginia

ATTEST:

A handwritten signature in black ink that reads "Pam Fitzgerald". The signature is written in a cursive style with a horizontal line underneath.

Pam Fitzgerald, Acting Clerk
Town of Chatham, Virginia

APPROVED AS TO FORM:

A handwritten signature in blue ink that reads "Tim Fisk". The signature is written in a cursive style with a horizontal line underneath.

Timothy M. Fisk, Esq.
Town Attorney